IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WP(C).No. 21268 of 2007(F)

PETITIONER:

KRISHNA HOLLA, S/O GOPALKRISHNA HOLLA,
SHIRIBAGILU P.O., KADLU VILLAGE,
KASARAGOD TALUK, KASARAGOD.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:

1. TAHSILDAR(RR),
KASARAGOD TALUK,
KASARAGOD DISTRICT.

2. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WELFARE FUND BOARD,
KASARAGOD.

SHRI.PAULSON C.VARGHESE, SC.
G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

==========

W.P.(C).No.21268 of 2007

==========

Dated this the 10th day of July, 2007

J U D G M E N T

The petitioner challenges recovery proceedings under the Kerala Motor Transport Workers' Welfare Fund Act. However, the petitioner now confines his prayer for a direction to the 2nd respondent to permit the petitioner to pay the amounts due in instalments.

2. The learned Standing Counsel appearing for the 2nd respondent opposes the prayer. According to him, even after receipt of final determination orders, the petitioner has come up before this court stating that final orders were not received.

3. After hearing both sides, I feel that some leniency can be shown to the petitioner in the matter of repayment of the amounts in instalments. Accordingly, I direct the 2nd respondent to permit the petitioner to pay the amounts in 10 equal

monthly instalments starting from 1.8.2007. Every subsequent instalment shall be paid on the first working day of every succeeding month. If the petitioner pays the instalments in time without default, proceedings pursuant to the impugned notices shall be kept in abeyance. However, if the petitioner commits default in payment of any one instalment, the respondents can continue the proceedings as per the impugned notices without having to issue any fresh notice or proceedings in that regard.

Writ petition is disposed of as above.

sdk+ S.SIRI JAGAN, JUDGE